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04/11/00  
J.C. 625  
U. S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	10165-006-999	Total Pages	63
First Named Inventor or Application Identifier			
Michael Brines			
Express Mail Label No.	EL 394 218 237 US		

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1.  Fee Transmittal Form  
*Submit an original, and a duplicate for fee processing)*
2.  Specification  
*(preferred arrangement set forth below)*
  - Descriptive title of the Invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R&D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings *(if filed)*
  - Detailed Description of the Invention *(including drawings, if filed)*
  - Claim(s)
  - Abstract of the Disclosure
3.  Drawing(s) *(35 USC 113)* [Total Sheets 17]
4.  Oath or Declaration [Total Sheets 02]
  - a.  Newly executed (original or copy)
  - b.  Copy from a prior application *(37 CFR 1.63(d))*  
*(for continuation/divisional with Box 17 completed)*  
*[Note Box 5 below]*
    - i.  DELETION OF INVENTORS(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
5.  Incorporation By Reference *(useable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:  
 Continuation     Divisional     Continuation-in-part (CIP)    of prior application.

**18. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label20583  
*(Insert Customer No. or Attach bar code label here)*or  Correspondence address below

NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

4-12-00

A

Express Mail No.: EL 394 218 237 US

**PENNIE & EDMONDS LLP**  
**COUNSELLORS AT LAW**  
 1155 Avenue of the Americas  
 New York, N.Y. 10036-2711  
 (212) 790-9090

ATTORNEY DOCKET NO. 10165-006-999Date: April 11, 2000

Assistant Commissioner for Patents  
 Box PATENT APPLICATION  
 Washington, D.C. 20231

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): Brines et al.

Executed on: Not yet executed

Title of Invention: MODULATION OF EXCITABLE TISSUE FUNCTION BY PERIPHERALLY ADMINISTERED ERYTHROPOIETIN

**PATENT APPLICATION FEE VALUE**

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	37	-20	17	\$18.00 each	\$ 306.00
Independent	4	-3	1	\$78.00 each	\$ 78.00
			Minimum Fee		\$ 690.00
			Multiple Dependency Fee If Applicable (\$260.00)		\$ 260.00
			Total		\$ 1,334.00
			50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern (a verified statement as to the applicant's status is attached)		- \$ 0.00
			Total Filing Fee		\$ 1,334.00

Priority of application no. 60/129,131 filed on April 13, 1999 in the U.S.A. is claimed under 35 U.S.C. § 119.  
 The certified copy of the priority application has been filed in application no. filed  
 Amend the specification by inserting before the first line the following sentence: This is a continuation-in-part of application no. filed.

Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

  
 Laura A. Coruzzi  
 PENNIE & EDMONDS LLP

30,742

(Reg. No.)

Enclosure

This form is not for use with continuation, divisional, re-issue, design or plant patent applications.